

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PR&RD Dept. – Sand Quarry Lease at Reach No.6, Vijayawada-I - Refund of an amount of Rs.89,25,000/- and Stamp Duty of Rs.5,95,000/- alongwith interest @ 18% from 19.3.2010 to Sri K.Srinivas, S/o. Late Ramaswamy, R/o. Vijayawada –permission accorded - Order Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (PTS.III) DEPARTMENT

G.O.Rt.No. 882

Dated:23.05.2012

Read the following:-

- 1) From Sri K.Srinivas, S/o. Late K.Ramaswamy, R/o. Vijayawada
Dated 27.2.2012.
- 2) From the CPR&RE, Hyderabad Letter No. 3557/CPR&RE/C2/2012,
Dated 18.4.2012.
- 3) From the APHC, Order in W.P.No.17209/2000, dated 19.2.2010.
- 4) From the APHC, C.A.No. 543/2012 in W.P.No.17209/2000 filed by
Sri K.Srinivas.

ORDER:

In the reference 1st read above Sri K.Srinivas, S/o.Late K.Ramaswamy, R/o. Vijayawada has informed that he was awarded the sand quarry tender for Reach No.6 of Vijayawada 1, Krishna District in the year 2000. But, he has not operated the sand quarry due to non issuance of way bills and ramp permissions etc., from the concerned. He has approached the Hon'ble High Court of Andhra Pradesh for refund of Rs.1,19,00,000/- paid towards Lease amount and Rs.5,95,000/- paid towards Stamp Duty along with interest.

2. In the reference 2nd read above the Commissioner, PR&RE, Hyderabad has furnished his report informing that 25% ZPP share of Rs.29,75,000/- has been refunded to Sri K.Srinivas and there is no payments pending to Sri K.Srinivas from the Z.P.P., Krishna. Further he has informed that the balance amount of Rs.89,25,000/- due to Sri K.Srinivas is pending with Municipal Corporation, Vijayawada.

3. In the reference 3rd read above, the Hon'ble High Court of A.P. vide its orders in W.P.No. 17209/2000, dated 19.2.2010 has directed the respondent No.1 i.e., Principal Secretary, PR&RD Dept., **“to return the amounts paid by the petitioner towards auction of Reach No.6 of Vijayawada-1, including the stamp duty collected from the petitioner, within a period of one month from today. If the amounts are not refunded within the said period, the petitioner is entitled to payment of interest at the rate of 18% per annum from the date of this judgement, till the date of payment.”**

4. In pursuance of the Hon'ble APHC order, the Chief Executive Officer, Zilla Praja Parishad, Krishna has paid the 25% ZPP Share amount of Rs.29,75,000/- to Sri K.Srinivas leaving the balance amount of Rs.89,25,000/- which was credited to the Municipal Corporation Vijayawada towards their 75% share amount.

5. In the reference 4th read above, Sri K.Srinivas has filed C.A.No. 543/2012 in the Hon'ble APHC for not implementing the orders of the APHC in the reference 3rd read above.

6. Government after careful examination of the issue, in the first instance, decided and hereby accord permission to the Chief Executive Officer, Zilla Praja Parishad, Krishna District to draw an amount of Rs.89,25,000/- (Rupees Eighty Nine Lakhs Twenty Five thousands only) along with 18% interest and Stamp Duty of Rs.5,95,000/- (Rupees Five Lakhs and Ninety Five thousands) along with 18% interest from 19.3.2010 from the General fund of Zilla Praja Parishad, Krishna District and disburse to Sri K.Srinivas, S/o. Late K.Ramaswamy, R/o. Vijayawada lessee of Reach No.6, Vijayawada-I towards refund of lease amount of sand reach in order to comply with the Hon'ble High Court of Andhra Pradesh order dt.19.2.2010 in W.P.No.17209/2000 to avoid legal complications, subject to future adjustment of refund amount of Rs.89,25,000/- from Vijayawada Municipal Corporation, Krishna District along with 18% interest and stamp duty amount of Rs.5,95,000/- along with 18% interest from 19.3.2010 from Government.

[P.T.O.]

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7. The Chief Executive Officer, Zilla Praja Parishad, Krishna District is requested to take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Chief Executive Officer, Zilla Praja Parishad, Krishna District.

Copy to:

The Commissioner of Panchayat Raj & Rural Employment, Hyderabad

The individual through the Chief Executive Officer, Zilla Praja Parishad, Krishna District

The District Treasury Officer, Krishna District

The MA&UD Dept.

The Finance (Expr-PR&RD) Dept.,

The P.S. to Principal Secretary to Govt. (PR)

//FORWARDED :: BY ORDER//

SECTION OFFICER